

# HOUSE BILL NO. 5233

July 01, 2021, Introduced by Rep. Rabhi and referred to the Committee on Government Operations.

A bill to amend 1974 PA 258, entitled  
"Mental health code,"  
by amending section 800 (MCL 330.1800), as amended by 1995 PA 290.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 800. As used in this chapter, unless the context requires  
2 otherwise:  
3       (a) "Ability to pay" means the ability of a responsible party  
4 to pay for the cost of services, as determined by the department  
5 under sections 818 and 819.

1 (b) "Cost of services" means the total operating and capital  
2 costs incurred by the department or a community mental health  
3 services program with respect to, or on behalf of, an individual.  
4 Cost of services does not include the cost of research programs or  
5 expenses of state or county government unrelated to ~~the provision~~  
6 ~~of~~ **providing** mental health services.

7 (c) "Individual" means the individual, minor or adult, who  
8 receives services from the department or a community mental health  
9 services program or from a provider under contract with the  
10 department or a community mental health services program.

11 (d) "Inpatient services" means 24-hour care and treatment  
12 services provided by a state facility or a licensed hospital.

13 (e) "Insurance benefits" means payments made in accordance  
14 with insurance coverage for the cost of health care services  
15 provided to an individual.

16 (f) "Insurance coverage" means ~~any~~ **a** policy, plan, program, or  
17 fund established or maintained for the purpose of providing for its  
18 participants or their dependents medical, surgical, or hospital  
19 benefits. Insurance coverage includes, but is not limited to,  
20 ~~medicaid or medicare;~~ **Medicaid or Medicare;** policies, plans,  
21 programs, or funds maintained by nonprofit hospital service and  
22 medical care corporations, health maintenance organizations, and  
23 prudent purchaser organizations; and commercial, union,  
24 association, self-funded, and administrative service policies,  
25 plans, programs, and funds.

26 (g) "Nonresidential services" means care or treatment services  
27 that are not inpatient or residential services.

28 (h) "Parents" means the legal ~~father and mother~~ **parents** of an  
29 unmarried individual who is less than 18 years of age.

1           (i) "Residential services" means 24-hour dependent care and  
2 treatment services provided by adult foster care facilities under  
3 contract to the department or a community mental health services  
4 program or provided directly by a community mental health services  
5 program.

6           (j) "Responsible party" means a person who is financially  
7 liable for services furnished to the individual. Responsible party  
8 includes the individual and, as applicable, the individual's spouse  
9 and parent or parents of a minor.

10          Enacting section 1. This amendatory act does not take effect  
11 unless Senate Joint Resolution \_\_\_\_\_ or House Joint Resolution \_\_\_\_\_  
12 (request no. 02344'21) of the 101st Legislature becomes a part of  
13 the state constitution of 1963 as provided in section 1 of article  
14 XII of the state constitution of 1963.